

ESTTA Tracking number: **ESTTA679566**

Filing date: **06/23/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

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|------------------------------------------------------------------------------------------------------------|----------------------------------------------|
| Proceeding. | 91208483 |
| Applicant | Plaintiff Chicago Cubs Baseball Club, LLC |
| Other Party | Defendant Reverse The Curse, Inc. |
| Have the parties held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2)? | No |

Motion for an Extension of Answer or Discovery or Trial Periods With Consent

The Defendant's Time to Answer is currently set to close on 07/25/2015. Chicago Cubs Baseball Club, LLC requests that such date be extended for 90 days, or until 10/23/2015, and that all subsequent dates be reset accordingly.

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|-------------------------------------------|------------|
| Time to Answer : | 10/23/2015 |
| Deadline for Discovery Conference : | 11/22/2015 |
| Discovery Opens : | 11/22/2015 |
| Initial Disclosures Due : | 12/22/2015 |
| Expert Disclosure Due : | 04/20/2016 |
| Discovery Closes : | 05/20/2016 |
| Plaintiff's Pretrial Disclosures : | 07/04/2016 |
| Plaintiff's 30-day Trial Period Ends : | 08/18/2016 |
| Defendant's Pretrial Disclosures : | 09/02/2016 |
| Defendant's 30-day Trial Period Ends : | 10/17/2016 |
| Plaintiff's Rebuttal Disclosures : | 11/01/2016 |
| Plaintiff's 15-day Rebuttal Period Ends : | 12/01/2016 |

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*
- *Significant progress has been made towards settlement. Since the institution of the proceedings the parties have had verbal and written settlement negotiations, and have drafted, reviewed and proposed term sheets, as well as drafted and exchanged a draft settlement agreement. Since the parties last sought an extension, Applicant's counsel and Opposer's counsel conferred regarding the proposed settlement terms, and Opposer's outside counsel drafted an agreement based on such terms. Thereafter, Opposer's outside counsel sent the draft agreement to Opposer's in-house counsel for consideration. Opposer's in-house counsel reviewed the draft agreement, and relayed its preliminary comments to Opposer's outside counsel. Opposer's outside counsel then revised the draft agreement accordingly, and sent Opposer's in-house counsel the revised agreement for review. Opposer's in-house counsel reviewed the revised agreement, discussed it internally, and sent its comments to the agreement to Opposer's outside counsel. Opposer's outside counsel revised the agreement accordingly, and sent the re-*

vised agreement back to Opposer's in-house counsel for final review, before sending the agreement to Applicant's counsel on June 15, 2015 for consideration. The additional time is requested to allow Applicant and Applicant's counsel time to consider the agreement, and for the parties to continue working towards settlement of this matter. The parties believe they will timely resolve this matter. The parties also request that the proceedings be suspended pending disposition of this motion.

Chicago Cubs Baseball Club, LLC has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Chicago Cubs Baseball Club, LLC has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Respectfully submitted,

/Aryn M. Emert/

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